

12.05.hrs.

STATEMENT BY MINISTER

Kidnapping of the Relatives of Shri Prabhu Dayal Katheria, M.P.*[English]*

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): Madam, during the Zero Hour on 8.5.1997, the hon. Member, Shri Prabhu Dayal Katheria expressed concern over the delay on the part of the CBI in registering the case to trace his relatives who had been kidnapped on the night of February 17/18, 1997.

This august House would recall that in connection with this incident, I had earlier made a statement on March 13, 1997 where I had then pointed out that a special team of officers headed by the Superintendent of Police, Rural Area, Agra had been formed by the State Government to investigate the case, that nine persons, including those mentioned by the hon. Member as suspects, had been questioned that raids had been carried out in various places in Rajasthan and Madhya Pradesh, besides Uttar Pradesh, and that enquiries had also been made in Maharashtra and Delhi.

On March 14, 1997, I wrote to the Governor of Uttar Pradesh suggesting that in view of the concern expressed by the hon. Members of this august House and other circumstances, it would be desirable that further investigation in the case was handed over to the CBI. A copy of this letter was also endorsed to the Director, CBI for information and necessary action.

On March 16, 1997, the State Government of Uttar Pradesh issued a notification under Section 6 of the Delhi Special Police Establishment Act, 1946 according to its consent for the investigation of this case by the CBI. On March 20, 1997, the CBI was asked by this Ministry to take up the case urgently. A copy of the communication addressed to the Director, CBI in this regard was also endorsed to the Department of Personnel and Training.

After due deliberations, the Director, CBI ordered for the registration of the cases on April 28, 1997. The CBI has been directed to complete the investigation expeditiously.

[Translation]

KUMARI UMA BHARATI (KHAJURAHO): Mr. Chairman, Sir, we have no whereabouts of Shri Katheria's family. You please direct the hon. Minister of Home Affairs to make a statement in this regard.

Statement Correcting the Answer to S.Q.No: 269 Dated July 30, 1996 Regarding Drug Price Control and giving Reasons for Delay in Correcting the Reply.

THE MINISTER OF STATE OF THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SIS RAM OLA):

Mr. Chairman, Sir, I would like to draw the attention of the august House towards the reply to Starred Question No: 269 regarding Drug Price Control given on 30.7.96. Following was the reply to Part-A.

For the purpose of Price control drugs have been selected on the basis of norms fixed according to the amendments made in the Drug Policy 1986. On the basis of the year 1989-90, the drugs having a turnover of about Rs. 400 lakh or more than that and having competition in the market as well as the drugs having a turnover about Rs. 100 lakh or more but less than Rs. 400 lakh, and are monopolistic in nature do not come under price control.

The revised reply of the question may kindly be read as:—

For the purpose of price control drugs have been selected on the basis of norms fixed by the amendment made in the Drug Policy in 1986. On the basis of the figures of the year 1989-90, the drugs having a turnover of about Rs. 400 lakh or more and are competitive in the market as well as the drugs having a turnover of about Rs. 100 lakh or more but less than Rs. 400 lakh and do not have any monopoly, do not come under price control.

Printing mistake was detected when reply to a similar question on a later date for Rajya Sabha was being prepared. That is why this correction has been delayed.

I am sorry for the printing error carried unknowingly.

STATEMENT BY MINISTER

Kidnapping of the Relatives of Shri Prabhu Dayal Katheria, M.P.—Contd.*[English]*

MR. CHAIRMAN: I am allowing hon. Member Shri Katheria to seek a clarification.

[Translation]

SHRI PRABHU DAYAL KATHERIA (FIROZABAD): Mr. Chairman, Sir, I would like to submit that prior to the statement given by the hon. Minister of Home Affairs in House, he had made another statement on the same subject to March 13, 1997. You may go through both the statements given by the hon. Minister of Home Affairs you would come to know the achievements of made by the Government during this period. The statement given by the Hon. Minister of Home Affairs in the House today, I understand it is nothing but merely misleading the House.

The Minister of Home Affairs in his statement given on 13th March had stated that C.B.I. had been directed to interrogate the suspected culprits and enquire the matter. Further, it was stated that the Government of Uttar Pradesh and the Governor had suggested the Central Government to hand over the matter to C.B.I. further investigation. The Minister of Home Affairs has also stated that his Ministry had directed C.B.I. to take over the matter immediately

on March 20, 1997. But today it is 15th May and no statement has been given by the Central Government about the achievements made in this regard.

I have given a Privilege Motion with regard to the abduction of the family of a Member of Parliament and I feel that it is a contempt of the House. Because on May 8, 1997 the Chairman presiding at that time had directed that three months had passed since the abduction took place, the information about the progress in the matter should be provided to the House. However, the statement given today clarifies that no development has been made in the investigation of the matter. My submission is that my Privilege Motion may kindly be referred to the Privilege Committee with in the period of two months, the guilty—whether C.B.I. or the Central Government for delay in this matter should be detected....(Interruptions) Mr. Chairman, Sir, please note, the statement made by the Minister of Home Affairs carries no information....(Interruptions) the hon. Minister has stated that raids have been conducted at different places in Rajasthan and Madhya Pradesh besides Uttar Pradesh, enquiries were conducted in Maharashtra and Delhi too and required information was sought. However, no progress has been made in this regard so far....(Interruptions) It is very surprising.

[English]

MR. CHAIRMAN: What do you want? I have allowed him and he is speaking. Now you all have started speaking. I cannot even hear what the hon. Member is saying.

[Translation]

SHRI HARIN PATHAK (AHMEDABAD): Mr. Chairman, Sir, one of our hon. Members has met with such a tragedy. The Minister of Home Affairs has given two statements in the House. But what solution has been found to the problem, what progress has been made, what the Government is doing?...(Interruptions)

JUSTICE GUMAN MAL LODHA: (Pali): What achievement is there, despite the efforts made by the Government, what are the outcome of the investigations, what is the progress with regard to the investigation carried from 13th March to 15th May. There is no reference to all this in the statement....(Interruptions)

[English]

MR. CHAIRMAN: We all know that after the statement by Minister no clarification is allowed. Even then I have asked the hon. Member, Shri Katheria to seek a clarification. All of you have started speaking. As a result, he is not able to say what he wants to.

[Translation]

Please ask your Members to keep silent so that the hon. Member can make his submission...

(Interruptions)

SHRI PRABHU DAYAL KATHERIA: Mr. Chairman. Sir, I would like to submit that more than three months have passed, today, it is 15th May, what is the achievement of the Government in the matter during this period, I am unable to understand all this. It is contempt of the House. Directions were issued thrice by the Chair of Lok Sabha—by Honble' Speaker, Deputy Speaker and the Chairman. But nothing has been done in this regard. My submission is that nothing concrete has been achieved. After all, what happened to the members of the family? The Government is not ready to reveal anything in this regard. Three months have already elapsed....(Interruptions)

SHRIMATI BHAVNABEN DEVRAJ BHAI CHIKHALIA (JUNAGADH): If a Member of the Parliament meets with such a tragedy, what will be the fate of others?

SHRI PRABHU DAYAL KATHERIA: My submission is that I have given my Privilege Motion. It may either be accepted or the Minister of Home Affairs may kindly state the achievements made during these three months.

MR. CHAIRMAN: What is the use of repeating the same thing.

[Translation]

SHRI PRABHU DAYAL KATHERIA: Mr. Chairman, Sir, the hon. Minister of Home Affairs should be informed in this regard.

[English]

MR. CHAIRMAN: Shri Katheria, you have said what you have to say. Now, if the Minister would like to respond, he can. It is not compulsory but if he would like to make any statement, he can do so.

SHRI INDRAJIT GUPTA: Madam, I have every sympathy with the hon. Member who is in distress because of the disappearance of some members of his family who he suspects to have been kidnapped. There is no trace of them so far. But I have read out already the various stages through which the handling of this case proceeded. Ultimately I may say that some senior Members of the hon. Member's party also met me and requested me to see that investigation of this case is handed over to the CBI. So, that has been done.

[Translation]

I do not know why the hon. Member is worried now. This case has already been referred to the C.B.I. and investigation is going on....(Interruptions). Do you want that I should interfere in the investigation....(Interruptions) what should I do?

SHRIMATI BHAVNABEN DEVRAJ BHAI CHIKHALIA: You should expedite the case....(Interruptions)

KUMARI UMA BHARTI (KHAJURAHO): Your Sleep will be lost if some one of your family is missing....(Interruptions)

SHRI INDRAJIT GUPTA: All right. Investigation is going on. I cannot and shall not interfere in that. It is the duty of the C.B.I. and not mine. Incidentally, I would also like to remind you that the C.B.I. does not come under Home Ministry. You are aware of it. If you are interested to know the routine day to day functioning of the agency, you should contact someone else since the C.B.I. is not working under my Ministry...*(Interruptions)*

[English]

12.19 hrs.

RE: Question of Privilege Against Attorney General For Allegedly Giving Wrong Information Before Supreme Court.

[Translation]

SHRI RAM NAIK (MUMBAI NORTH): Mr. Chairman, Sir, I have given notice for a motion of breach of Privilege against Attorney General of India, Shri Ashok Desai. You know that the Supreme Court had passed an order according to which the aquaculture form had to be demolished by 31st March has brought about a proposal of introducing a new Bill in the House. The notice for introduction of a Bill is given two days in advance which was sought to be waived, we got it waived. The Bill was passed in the Rajya Sabha on 20th March and the same had to be passed by the Lok Sabha on 21st of March which was the last day of the Session. The Government later on stated in the House that it did not want the Bill to be passed. I would like to quote two small paragraphs from the proceeding of that time.

[English]

Shri P.C. Chacko was in the Chair at that time. He says:

"Shri Satya Pal Jain, please talk for one minute. We have to discuss a very important Bill. Shri Ram Naik has raised the matter of this Aquaculture Bill. The Minister of Agriculture will make an announcement. It is some court judgement about which he wants to make a statement."

[Translation]

Later on the hon. Minister of Agriculture made a statement which I quote.

"Mr. Chairman, Sir, I had given notice for introduction of Aquaculture Bill in the House but the Supreme Court has given a stay order in that case and the demolition has been stopped."

Keeping that in view I shall not introduce that Bill in the House. Following the judgement of the Supreme Court, the Bill would now be introduced in the House some other day. I have to inform the House in this regard." The hon. Minister of Agriculture has told that the Government does not want to introduce the Bill today in order to get it passed.

The same day the Supreme Court extended the stay order upto 30th April and that is why the hon. Minister made this statement here. Now 30th April is approaching, the Supreme Court took up this case again on 25th April. When the case was taken up in the Court on the second occasion, the Court inquired as to why the Bill was not passed. At this, the statement given by Attorney General causes great concern.

[English]

I am quoting it from **The Times of India** of 26th April.

[Translation]

This news has appeared in all the newspapers.

[English]

I am quoting it.

The Attorney General told the court that the Aquaculture Authority Bill, 1997 had already been passed by the Rajya Sabha and it would have been passed by the Lok Sabha too but for the political crisis."

[Translation]

My objection is regarding the political crisis as also regarding difficulties expressed for passing of the Bill. Madam, Chairperson, you know that there was no political crisis on 21st March. The political crisis was actually created on 30th March by our colleagues of the Congress Party on the behest of Keshari Ji. And when the Political crisis was created on the 30th March, after that it was not proper to say in the Court that Lok Sabha did not Pass the Bill whereas they wanted to get it passed. The fate of lakhs of fishermen living along the coastal belt of the country is linked with this issue. In a way, the Attorney General is a constitutional Authority. He has ridiculed us in the Court on behalf of the Government. He has lowered the image of the House and has tried to ridicule us. That is why I have given a notice of the motion of Breach of Privilege. What I want to say is that making of such a statement in the Supreme Court by the officer of that status is unjustified. As such, I request that my motion should be accepted and there should be an investigation as to why the Attorney General made such a statement. I again request that the notice of the motion of breach of privilege given by me be referred to the Committee of Privileges:

Lakhs of fishermen of 9 states are today worried about the fate of the Aquaculture Bill. There should be some assurance for them. The Government has not introduced the Bill in this session and tomorrow is the last day of the session. The Government should clear its stand in this regard. I once again request that my notice regarding Breach of Privilege may please be referred to the Committee of Privileges.

SHRIMATI BHAVNABEN DEVRAJ BHAI CHIKHALIYA: Jainaji is present here. He should tell if the Bill will be introduced tomorrow or not.